



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10765,539	01/27/2004	Liam Scanlan	2103175-991111

26379
GRAY CARY WARE & FREIDENRICH LLP
2000 UNIVERSITY AVENUE
E. PALO ALTO, CA 94303-2248

CONFIRMATION NO. 1652

FORMALITIES LETTER



OC000000012948514

Date Mailed: 06/15/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/20/2004 HLE333 00000061 071896 10765539

FILED UNDER 37 CFR 1.53(b)

01 FC:2051 65.00 DA

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

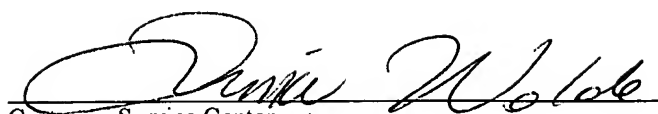
SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to read "Dennis M. Loh", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FREE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Complete if Known

Application Number	10/765,539
Filing Date	January 27, 2004
First Named Inventor	Liam Scanlan and Cory Bear
Examiner Name	Unknown
Art Unit	2113
Attorney Docket No.	2103175-991111

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 65.00)

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

07-1896

Gray Cary Ware & Freidenrich LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid
Total Claims	1	-20** =	0	X		
Independent Claims	1	-3** =	0	X		
Multiple Dependent						

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0.00)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for ex parte reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
1251	110	2251	55	Extension for reply within first month
1252	420	2252	210	Extension for reply within second month
1253	950	2253	475	Extension for reply within third month
1254	1,480	2254	740	Extension for reply within fourth month
1255	2,010	2255	1,005	Extension for reply within fifth month
1401	330	2401	165	Notice of Appeal
1402	330	2402	165	Filing a brief in support of an appeal
1403	290	2403	145	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	110	2452	55	Petition to revive - unavoidable
1453	1,330	2453	665	Petition to revive - unintentional
1501	1,330	2501	665	Utility issue fee (or reissue)
1502	480	2502	240	Design issue fee
1503	640	2503	320	Plant issue fee
1460	130	1460	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))
1801	770	2801	385	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application
Other fee (specify)				

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 65.00)

SUBMITTED BY

Name (Print/Type) Kieun "Jenny" Sung

Registration No. (Attorney/Agent) 48,639

(Complete if applicable)

Telephone 650-833-2121

Signature

Date August 16, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

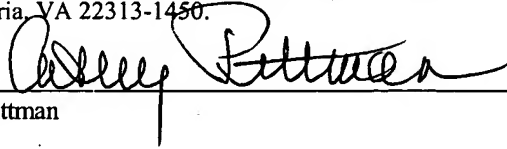
American LegalNet, Inc.
www.USCourtForms.com



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DATE OF DEPOSIT: August 16, 2004

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail on the date indicated above and is addressed to: Commissioner for Patents; Mail Stop Missing Parts, P.O. Box 1450, Alexandria, VA 22313-1450.


Cathy Pittman

* * *

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

COMMISSIONER FOR PATENTS
Mail Stop Missing Parts
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing for:

U.S. Patent Application S/N: 10/765,539 Filed: January 27, 2004
INVENTOR(s): Cory Bear and Liam Scanlan Group Art Unit: 2113
TITLE: EXTENSIBLE METHOD FOR OBTAINING AN HISTORICAL
RECORD OF DATA BACKUP ACTIVITY (AND ERRORS) AND
CONVERTING SAME INTO A CANONICAL FORMAT

Enclosed are:

1. Transmittal Form (1 pg.);
2. Response to Notice of Missing Parts (2 pgs);
3. Copy of original Notice of Missing Parts (2 pgs);
4. Declaration (2 pgs);
5. Power of Attorney (1 pg);
6. Statement Under 37 CFR 3.73(b) w/copy of Assignment documents (5 pgs);
7. Fee Transmittal FY 2004 (1 pg);
8. Certificate of First Class Mailing (1 pg.); and
9. Return Postcard;



Please type a plus sign (+) inside this box



Approved for use through 09/30/2000. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/765,539	
	Filing Date	January 27, 2004	
	First Named Inventor	Liam Scanlan	
	Group Art Unit	2113	
	Examiner Name	Unknown	
Total Number of Pages in This Submission		Attorney Docket Number	2103175-991111

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i>	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment with Appendix A attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Associate Power of Attorney,	<input checked="" type="checkbox"/> Additional Enclosure(s) <i>(please identify below):</i>
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Response to Notice of Missing Parts (2p); Copy of original Missing Parts Notice (2p);
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	Declaration (2p); Power of Attorney (1p); Statement Under 37CFR w/copy of Assignment <i>(sp)</i>
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	Certificate of Mailing (1p); Return postcard.
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	Kieun J. Sung (Reg. No. 48,639) Gray Cary Ware Freidenrich
Signature	
Date	August 16, 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date

Typed or printed name	Gathy Pittman		
Signature		Date	August 16, 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Liam Scanlan et al.

Serial No. 10/765,539

Group Art Unit: 2113

Filed: January 27, 2004

Examiner: Unknown

Title: EXTENSIBLE METHOD FOR OBTAINING AN HISTORICAL RECORD
OF DATA BACKUP ACTIVITY (AND ERRORS) AND CONVERTING
SAME INTO A CANONICAL FORMAT

*I hereby certify that this correspondence is being
deposited with the United States Postal Service with sufficient postage as
First Class Mail in an envelope addressed to: Commissioner for Patents &
Trademarks, Mail Stop Missing Parts, P.O. Box 1450, Alexandria, VA
22313-1450 on:*

August 16, 2004
Date

Cathy Pittman
Cathy Pittman

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts dated June 14, 2004, applicant
hereby submits the following:

- (1) Transmittal Form (1 pg.);
- (2) Response to Notice to File Missing Parts (2 pgs.);
- (3) Copy of Notice to File Missing Parts (2 pgs);
- (4) Declaration (2 pgs.);
- (5) Power of Attorney (1 pg);
- (6) Statement Under 37 CFR 3.73(b) w/copy of Assignment documents (5 pgs);

- (7) Fee Transmittal FY 2004;
- (8) Certificate of First Class Mailing (1 pg); and
- (9) Return postcard.

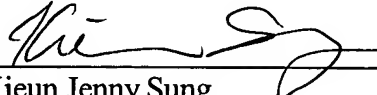
The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 07-1896.

Please telephone the undersigned at (650) 833-2121, if there are any questions.

Respectfully submitted,

GRAY CARY WARE & FREIDENRICH LLP

Dated: August 16, 2004

By 
Kieun Jenny Sung
Attorney for Applicant
Reg. No. 48,639

GRAY CARY WARE & FREIDENRICH LLP
Attn: Patent Department
2000 University Street
East Palo Alto, CA 94303
Telephone: (650) 833-2121
Facsimile: (650) 833-2001